

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LEXINGTON INSURANCE COMPANY, a
Delaware corporation,

Plaintiff,

v.

MULTICARE HEALTH SYSTEM

Defendant.

NO. 3:17-cv-05041-BHS

**STIPULATION AND ORDER OF
VOLUNTARY DISMISSAL PURSUANT
TO F.R.C.P. 41(a)(1)(A)(ii)**

Pursuant to F.R.C.P. 41(a)(1)(A)(ii), Plaintiff, LEXINGTON INSURANCE COMPANY, and Defendant, MULTICARE HEALTH SYSTEM, through their respective counsel, submit this Stipulation and [Proposed] Order to voluntarily dismiss the instant action. The parties also stipulate that each side shall bear their own attorney fees, costs and expenses incurred in the instant action.

I. STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between LEXINGTON INSURANCE COMPANY and MULTICARE HEALTH SYSTEM, through their respective counsel, that:

1. The instant action is voluntarily dismissed pursuant to F.R.C.P. 41(a)(1)(A)(ii); and;

2. Each side shall bear their own attorney fees, costs and expenses incurred in the instant action.

STIPULATION DATED this 5th day of May, 2017.

GORDON & REES, LLP

GORDON TILDEN THOMAS & CORDELL, LLP

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II. ORDER

Based on the foregoing Stipulation,

IT IS HEREBY ORDERED that the above-captioned claim is voluntarily dismissed pursuant to F.R.C.P. 41(a)(1)(A)(ii) and each side shall bear their own attorney fees, costs and expenses incurred in the instant action.

DATED this 16th day of May, 2017.



BENJAMIN H. SETTLE
United States District Judge